

REMARKS

Reconsideration and withdrawal of all grounds of rejection, and allowance of the pending claims are respectfully requested in light of the amendments and remarks made herein. Claim 12 has amended to address the non-art related rejections.

Applicant notes with appreciation the allowance of Claims 1-11.

Claim 12 stands rejected under 35 U.S.C 112, first paragraph as containing “subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention” (Office Action, Para. 2). In particular, the Examiner notes that “the term ‘computer-readable medium’ is not found in the specification” (Ibid).

Applicant has amended claim 12 to recite:

“A program storage device readable by a machine, tangibly embodying a program of instructions executable by the machine to perform method steps of a speech dialogue system said method comprising: ...”

Applicant submits that such a program storage device is disclosed in the specification – if not directly, then by the way of inherency. By way of example, claim 12 as originally written (and thus constituting part of the originally filed application), recites “A computer program comprising computer code means for carrying out all the steps of a method as claimed in any one of the claims 1 to 10 when the program is run on

a computer of a speech dialogue system.” The phrase “computer code means” in conjunction with the phrase “when the program is run” includes, at least by inherency, the well-known computer practice of storing the program on a storage device, and then loading and executing it when required. Additional support for such a program storage device is found in paragraph [0074] of the published application in which “software modules ... [are] assigned to various computers within a network.” Clearly, it is inherent in implementing such a system (and well-known in the art) to have one or more program storage devices, readable by the various computers, which contains the necessary programs of instructions to be executed by these computers.

Still further support is found in paragraph [0036] which states: “In addition to the components shown in FIG. 1, the speech dialogue system may also have further components as they are customarily used in speech dialogue systems.” Applicant submits that “a program storage device readable by a machine” as recited in claim 12 is such a customarily used component. Support for this assertions is found for example in claim 29 of U.S. Patent 6,829,603 (Chai et al.), which patent was cited by the Examiner in this application.

For at least all of the above reasons, Applicant maintains that the requirements of 35 U.S.C. 112, first paragraph have been satisfied. Accordingly, removal of the rejection under this statute is respectfully requested.

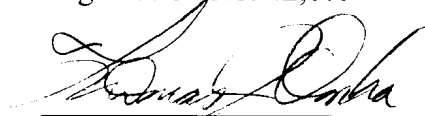
Claim 12 also stands rejected under 35 U.S.C. 101 as allegedly being directed to non-statutory matter. Applicant respectfully disagrees and traverses.

Applicant submits that claim 12 as amended recites functional descriptive material as it consists of data structures which impart functionality when employed by a computer component. It is well settled that nonfunctional descriptive material, such as music, art, and mere arrangements or compilations of facts or data, are merely stored so as to be read or outputted by a computer without creating any functional interrelationship, either as part of the stored data or as part of the computing processes performed by the computer (see for example, USPTO 2005 Examination Guidelines for Computer-Related Inventions). Amended claim 12 clearly recites data being stored on a computer-readable storage device, which data imparts function to a computing device. Accordingly, it is respectfully submitted that the claim is allowable subject matter under 35 USC §101.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references and applicable statutes. A Notice of Allowance is respectfully requested.

Respectfully submitted,

Dan Piotrowski
Registration No. 42,079

A handwritten signature in black ink, appearing to read "Thomas J. Onka", written over a horizontal line.

By: Thomas J. Onka
Attorney for Applicant
Registration No. 42,053

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